

MEMORANDUM

TO: Boston Redevelopment Authority
FROM: Hale Champion, Director
SUBJECT: BOARD OF APPEAL REFERRALS

May 22, 1969

Re: Petition No. Z-1451
Massachusetts Eye & Ear Infirmary
243 Charles Street, Boston

Petitioner seeks eight variances to erect a 14-story hospital building in an Apartment (H-4) district. The proposal would violate the code as follows:

		Req'd.	Proposed
Sect. 15-1	Floor area ratio is excessive	7.0	8.0
Sect. 18-1	Front yard is insufficient (Charles St.)	15 ft.	0
Sect. 18-3	Corner traffic visibility is insufficient		
Sect. 18-4	Front yard is insufficient (Fruit St.)	15 ft.	0
Sect. 20-1	Rear yard is insufficient	16 ft.	0
Sect. 21-1	Setback of parapet is insuffi- cient (all sides)	34.6 ft. 8.5 ft. 63 ft. 58.5 ft.	14 ft. 0 0 0
Sect. 23-3	Off-street parking not provided	124 spaces	0
Sect. 24-1	Off-street loading insufficient	3 bays	2 bays

The hospital is located on Charles Street at the intersection of Charles Street and Fruit Street. Demolition of several existing buildings presently comprising the Infirmary and the construction of the new 14-story structure would occur in seven separate stages. The petitioner states that the M.D.C. would lease approximately 400 parking spaces at a nearby location to the Infirmary to alleviate the apparent parking shortage. The proposal would enhance the area and would provide a modern health facility for the benefit of the community.

Recommend approval.

VOTED: That in connection with Petition No. Z-1451, brought by Massachusetts Eye & Ear Infirmary, 243 Charles Street, Boston, for variances of insufficient front yard, corner traffic visibility, rear yard, setback of parapet and excessive floor area ratio to erect a 14-story hospital building in an Apartment (H-4) district, the Boston Redevelopment Authority recommends approval. The petitioner indicates that 400 parking spaces will be leased from the M.D.C. at a nearby location. The proposal would enhance the area and would provide a modern health facility for the benefit of the community.

Re: Petition No. Z-1452
Sisson Realty Trust
95 Border Street, East Boston

Petitioner seeks two variances to install caissons for a proposed steel warehouse addition to an ironworks plant in a Light Manufacturing (M-1) district. The proposal would violate the code as follows:

	<u>Req'd.</u>	<u>Proposed</u>
Sect. 18-1 Front yard is insufficient (Border St.)	20 ft.	0
Sect. 18-4 Front yard is insufficient (Decatur St.)	20 ft.	2 ft.

The property, located on Border Street at the intersection of Border and Decatur Streets, contains a metal frame iron works building. The petitioner proposes to install the caissons now and erect the warehouse addition in the near future. It appears that footings are already in place at the site. The proposed warehouse extension is undesirable, would tend to intensify the existing noise activity, and would have an adverse effect on the adjacent residential neighborhood. Recommend denial.

VOTED: That in connection with Petition No. Z-1452, brought by Sisson Realty Trust, 95 Border St., East Boston, for variances of insufficient front yard to install caissons for a proposed future steel storage warehouse in a Light Manufacturing (M-1) district, the Boston Redevelopment Authority recommends denial. The proposed steel storage extension is undesirable, would tend to intensify the existing noise activity, and would have an adverse effect on the adjacent residential neighborhood.

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5 BORDER ST.
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Z-1452

STREET

Re: Petition No. Z-1453
 Ambassador Realty Trust
 13 Williams Avenue, Hyde Park

Petitioner seeks a Forbidden Use Permit and six variances to erect a two-story and basement 27-unit apartment building in a Single Family (S-.5) district. The proposal would violate the code as follows:

		<u>Req'd.</u>	<u>Proposed</u>
Sect. 8-7	A multi-family dwelling is Forbidden in an S-.5 district		
Sect. 10-1	Parking not allowed in front yard		
Sect. 14-2	Lot area for additional dwelling unit is insufficient	4000 sf/du	770 sf/du
Sect. 14-4	Street frontage is insufficient	60 ft.	45 ft.
Sect. 15-1	Floor area ratio is excessive	0.5	0.9
Sect. 18-1	Front yard is insufficient	30 ft.	18 ft.
Sect. 20-1	Rear yard is insufficient	50 ft.	20 ft.

The property, located on Williams Avenue near the intersection of Williams Avenue and Truman Highway, contains a $2\frac{1}{2}$ story frame dwelling which would be demolished. The proposed multi-family development, which would be situated between two single family residences, is undesirable and would be incompatible with the low density residential character of the neighborhood. The front yard parking violation and the increased traffic generated by the proposal would have an injurious effect on the surrounding one and two family residences. Recommend denial.

VOTED: That in connection with Petition No. Z-1453, brought by Ambassador Realty Trust, 13 Williams Avenue, Hyde Park, for a Forbidden Use Permit and variances of parking not allowed in front yard, excessive floor area ratio, insufficient lot area for additional dwelling unit, street frontage, front and rear yards to erect a two story and basement 27-unit apartment building in a Single Family (S-.5) district, the Boston Redevelopment Authority recommends denial. The proposed multi-family development is undesirable and would be incompatible with the low density residential character of the neighborhood. The front yard parking violation and the increased traffic generated by the proposal would have an injurious effect on the surrounding one and two family residences.

Re: Petition No. Z-1454
John J. & Patricia A. Rush
176 M Street, South Boston

Petitioner seeks three variances to erect a two-story rear addition to a two family dwelling in an Apartment (H-1) district. The proposal would violate the code as follows:

		<u>Req'd.</u>	<u>Proposed</u>
Sect. 15-1	Floor area ratio is excessive	1.0	1.3
Sect. 17-1	Open space is insufficient	400 sf/du	315 sf/du
Sect. 20-1	Rear yard is insufficient	10 ft.	5 ft.

The property, located on M Street near the intersection of M and East Eighth Streets, contains a two story frame dwelling. The petitioner would utilize the proposed extension for family rooms. The proposal is reasonable and would not have a detrimental effect on the adjacent residential properties. Recommend approval.

VOTED: That in connection with Petition No. Z-1454, brought by John J. & Patricia A. Rush, 176 M Street, South Boston, for variances of excessive floor area ratio, insufficient open space and rear yard to erect a two story addition to a two family dwelling in an Apartment (H-1) district, the Boston Redevelopment Authority recommends denial. The proposal is reasonable and would not have a detrimental effect on the adjacent residential properties.

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MARINE

A hand-drawn map of a marine facility, likely a port or marina, showing several berths and their assigned numbers. The numbers are as follows:

- Top row: 825, 4250
- Second row: 125, 4250, 129, 133
- Third row: 228, 4250
- Fourth row: 4286, 4206, 4285
- Fifth row: 6429, 6328
- Sixth row: 1226, 1227, 1228, 1229
- Bottom row: 1750, 1751, 1752

The map also includes a small circle with a question mark in the lower-left area.

Z-1454
176 M STREET
(S.B.)

Re: Petition Nos. Z-1455-Z-1456
 Allen Furniture Company
 172-178 Roslindale Avenue &
 40 Averton Street, Roslindale

Petitioner seeks an extension of a non-conforming use and variances of excessive floor area ratio, insufficient side and rear yards to erect a one story side addition to a furniture warehouse in a Residential (R-.5) district. The proposal would violate the code as follows:

		<u>Req'd.</u>	<u>Proposed</u>
Sect. 9-1	An extension of a non-conforming use requires a Board of Appeal hearing.		
Sect. 15-1	Floor area ratio is excessive	0.5	0.6
Sect. 19-1	Side yard is insufficient	10 ft.	0
Sect. 20-1	Rear yard is insufficient	40 ft.	17 ft.

The property, located on Roslindale Avenue at the intersection of Roslindale Avenue and Averton Street, contains a two story brick structure. The proposed addition would be utilized for the storage of furniture and carpets. Expansion of this non-conforming use would represent an undesirable encroachment, would intensity heavy commercial vehicular traffic, and would have an injurious effect on the one and two family residences in the neighborhood. Recommend denial.

VOTED: That in connection with Petition No. Z-1445-Z-1446, brought by Allen Furniture Company, 172-178 Roslindale Avenue and 40 Averton St., Roslindale, for an extension of a non-conforming use and variances of excessive floor area ratio, insufficient side and rear yards to erect a one story addition to a furniture warehouse in a Residential (R-.5) district, the Boston Redevelopment Authority recommends denial. Expansion of this non-conforming use would represent an undesirable encroachment, would intensify heavy commercial vehicular traffic, and would have an injurious effect on the one and two family residences in the neighborhood.

Re: Petitions Nos. Z-1457-Z-1457A
 Woodhaven Nursing Home, Inc.
 Bayhaven Nursing Home, Inc.
 35 & 45 Coffey Street, Dorchester

Petitioner seeks two Forbidden Use Permits and eight variances to erect a one-story addition and 4 two story additions to a Nursing Home (#35) and a one-story addition and three two-story additions to a Nursing Home (#45) in a Residential (R-.5) district. The proposal would violate the code as follows:

35 Coffey Street (Woodhaven Nursing Home)

Req'd.

Proposed

Sect. 8-7	A Nursing Home is Forbidden in an R-.5 district		
Sect. 14-2	Lot area for additional unit is insufficient	3000 sf/du	640 sf/du
Sect. 15-1	Floor area ratio is excessive	0.5	0.59
Sect. 18-1	Front yard is insufficient	25 ft.	19 ft.
Sect. 19-1	Side yard is insufficient	10 ft.	9 ft.
Sect. 20-1	Rear yard is insufficient	40 ft.	11 ft.

45 Coffey Street (Bayhaven Nursing Home)

Sect. 8-7	A Nursing Home is Forbidden in an R-.5 district		
Sect. 10-1	Parking is not allowed within 5 ft. of side lot line		
Sect. 14-2	Lot area for additional unit is insufficient	3000 sf/du	620 sf/du
Sect. 15-1	Floor area ratio is excessive	0.5	0.6

The properties, located on Coffey Street near the intersection of Coffey Street and Neponset Avenue, contain two one story Nursing Homes. The petitioner proposes to erect a second floor over each of the existing Nursing Homes and several two story additions to be constructed at the front side and rear of each Nursing Home. The proposed extensions would increase the total patient accommodations at No. 35 from 98 to 178 and at No. 45 from 77 to 157 patients. The staff approves of the proposal but recommends that adequate landscape screening be provided between the parking lots and surrounding residences.

Recommend approval with proviso that the proposed additions be submitted to the Authority for design review approval and that appropriate landscaping be provided to adequately screen the parking lots from the surrounding residences.

VOTED: That in connection with Petitions Nos. Z-1457-Z-1457A, brought by Woodhaven and Bayhaven Nursing Homes, 35 & 45 Coffey Street, Dorchester, for two Forbidden Use Permits and variances of excessive floor area ratio, insufficient lot area for additional unit, front yard, side yard, rear yard and parking not allowed within five feet of the side lot line to erect a one story addition and 4 two story additions to a Nursing Home (No. 35) and a one story addition and three two story additions to a Nursing Home (No. 45) in a Residential (R-.5) district, the Boston Redevelopment Authority recommends approval provided adequate landscape screening is provided between the parking lots and surrounding residences and that the proposed additions be submitted to the Authority for design review approval.

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Re: Petition No. Z-1458
Timothy C. Galvin & Hugh O'Neill
16 Hyde Park Avenue, Jamaica Plain

Petitioner seeks a Forbidden Use Permit and three variances for a change of occupancy from a retail store and four families to seven families in a General Business (B-1) district. The proposal would violate the code as follows:

		<u>Req'd.</u>	<u>Proposed</u>
Sect. 8-7	Any dwelling converted for more families and not meeting the requirements of lot area and open space is Forbidden in a B-1 district.		
Sect. 10-1	Parking is not allowed in the front yard nor within 5 feet of side lot line.'		
Sect. 14-2	Lot area for additional dwelling unit is insufficient	1500 sf/du	0
Sect. 17-1	Usable open space is not provided	400 sf/du	0

The property, located on Hyde Park Avenue at the intersection of Hyde Park Avenue and Woodlawn Street opposite the Forest Hills MBTA Terminal, contains a three story brick structure. The petitioner proposes to convert the vacant first floor store, formerly a restaurant and delicatessen, into three apartments. The proposed increase in residential density is undesirable and would further intensify an existing traffic problem in this commercial neighborhood. Recommend denial.

VOTED: That in connection with Petition No. Z-1458, brought by Timothy C. Galvin and Hugh O'Neill, 16 Hyde Park Avenue, Jamaica Plain, for a Forbidden Use Permit and variances of insufficient lot area for additional dwelling unit and usable open space for a change of occupancy from a retail store and four apartments to seven apartments in a General Business (B-1) district, the Boston Redevelopment Authority recommends denial. The petitioner proposes to convert a vacant 1st story store into 3 apartments. The proposed increase in residential density is undesirable and would further intensify an existing traffic problem.

Re: Petitions Nos. Z-1459 - Z-1463
 Boston Housing Authority
 5,7,9,11,15,17,19,21-23 Dr. Mary Moore
 Beatty Circle, Mattapan

Petitioner seeks four Forbidden Use Permits and several variances to erect four two-story Housing for the Elderly structures (total 64 units) and a one-story community building in a Single Family (S-.5) and Residential (R-.5) districts. The proposal would violate the code as follows:

5-7 Dr. Beatty Circle (16 units)

		<u>Req'd.</u>	<u>Proposed</u>
Sect. 8-7	A multi-family dwelling is Forbidden in an R-.5 district		
Sect. 10-1	Parking not allowed in front yard nor within 5 feet of side lot line		
Sect. 14-2	Lot area for additional dwelling unit is insufficient	3000 sf/du	2840 sf/du
Sect. 18-1	Front yard is insufficient	25 ft.	22 ft.
Sect. 20-1	Rear yard is insufficient	40 ft.	15 ft.
Sect. 23-1	Off-street parking is insufficient	4 spaces	3 spaces

9-11 Dr. Beatty Circle (16 units)

Sect. 8-7	A multi-family dwelling is Forbidden in an R-.5 district		
Sect. 10-1	Parking not allowed in front yard nor within 5 feet of side lot line		
Sect. 14-2	Lot area for additional dwelling unit is insufficient	3000 sf/du	2840 sf/du
Sect. 18-1	Front yard is insufficient	25 ft.	25 ft.
Sect. 20-1	Rear yard is insufficient	40 ft.	15 ft.

15 Dr. Beatty Circle (Community Building)

Sect. 8-7	A Community Center Building in an S-.5 district requires a Board of Appeal hearing		
Sect. 10-1	Parking not allowed in front yard nor within 5 feet of side lot line		
Sect. 14-2	Lot area for additional unit is insufficient	4000 sf/du	2840 sf/du
Sect. 18-1	Front yard is insufficient	30 ft.	25 ft.
Sect. 20-1	Rear yard is insufficient	50 ft.	17 ft.
Sect. 23-2	Off-street parking is insufficient	20 spaces	0

17-19 Dr. Beatty Circle (16 units)

Sect. 8-7	A multi-family dwelling is Forbidden in an S-.5 district		
Sect. 10-1	Parking not allowed in front yard nor within 5 feet of side lot line		
Sect. 14-2	Lot area for additional dwelling unit is insufficient	4000 sf/du	2840 sf/du

<u>21-23 Dr. Beatty Circle (16 units)</u>	<u>Req'd.</u>	<u>Proposed</u>
Sect. 8-7 A multi-family dwelling is Forbidden in an S-.5 district		
Sect. 10-1 Parking not allowed in front yard nor within 5 feet of side lot line		
Sect. 14-2 Lot area for additional dwelling unit is insufficient	4000 sf/du	2840 sf/du
Sect. 20-1 Rear yard is insufficient	50 ft.	40 ft.

The property, located on Dr. Mary Moore Beatty Circle, between Dr. Mary Moore Beatty Circle and Standard Street opposite the Boston Sanatorium, contains 187,962 square feet of vacant land. The Boston Housing Authority proposes to erect 4 two-story Housing for the Elderly structures, each containing 16 units, and a one-story Community Building. The Housing Authority would provide only 12 of the required 33 off-street parking facilities. Dr. Beatty Circle is presently a driveway for the Sanatorium. The City of Boston Engineering Department has tentative plans which indicate Dr. Beatty Circle as a 35-foot right-of-way along the western boundary of the proposed housing. This width would provide two driving lanes, one parking lane, and a sidewalk. However, the BRA staff has not received assurance that the street would be developed. It appears that the proposed Elderly Housing would depend upon the street for fire protection, police protection and other service access. The staff is of the opinion that Dr. Beatty Circle should be widened and improved to meet the standards of the Public Improvement Commission in order to provide access for the necessary services and further provide parking facilities to meet the requirements of the code.

Recommend approval with proviso.

VOTED: That in connection with Petitions Nos. Z-1459-Z-1463, brought by the Boston Housing Authority, 5,7,9-11,15,17-19,21-23 Dr. Mary Moore Beatty Circle, Mattapan, for four Forbidden Use Permits and variances of parking not allowed in front yard nor within five feet of side lot line, insufficient lot area for additional dwelling unit, front yard, rear yard and off-street parking to erect 4 two-story Housing for the Elderly structures (total 64 units) and a one-story Community Building in a Single Family (S-.5) and Residential (R-.5) districts, the Boston Redevelopment Authority has no objection to the proposed elderly housing units provided that Dr. Mary Moore Beatty Circle is developed. The City of Boston Engineering Department has tentative plans which indicate Dr. Beatty Circle as a 35 foot right-of-way along the western boundary of the proposed elderly housing units. This width would provide two driving lanes, one parking lane, and a sidewalk. However, the BRA has received no assurance that the street would be developed. It appears that the proposed housing would depend upon the street for fire protection, police protection and other service access. The Boston Redevelopment Authority recommends that Dr. Beatty Circle be widened and improved to meet the standards of the Public Improvement Commission in order to provide access for these necessary services and further provide parking facilities to meet the requirements of the code.

7-1450-1463

6-75 DORM. MOUL
BEATTY CIRCLE
(MATT.)

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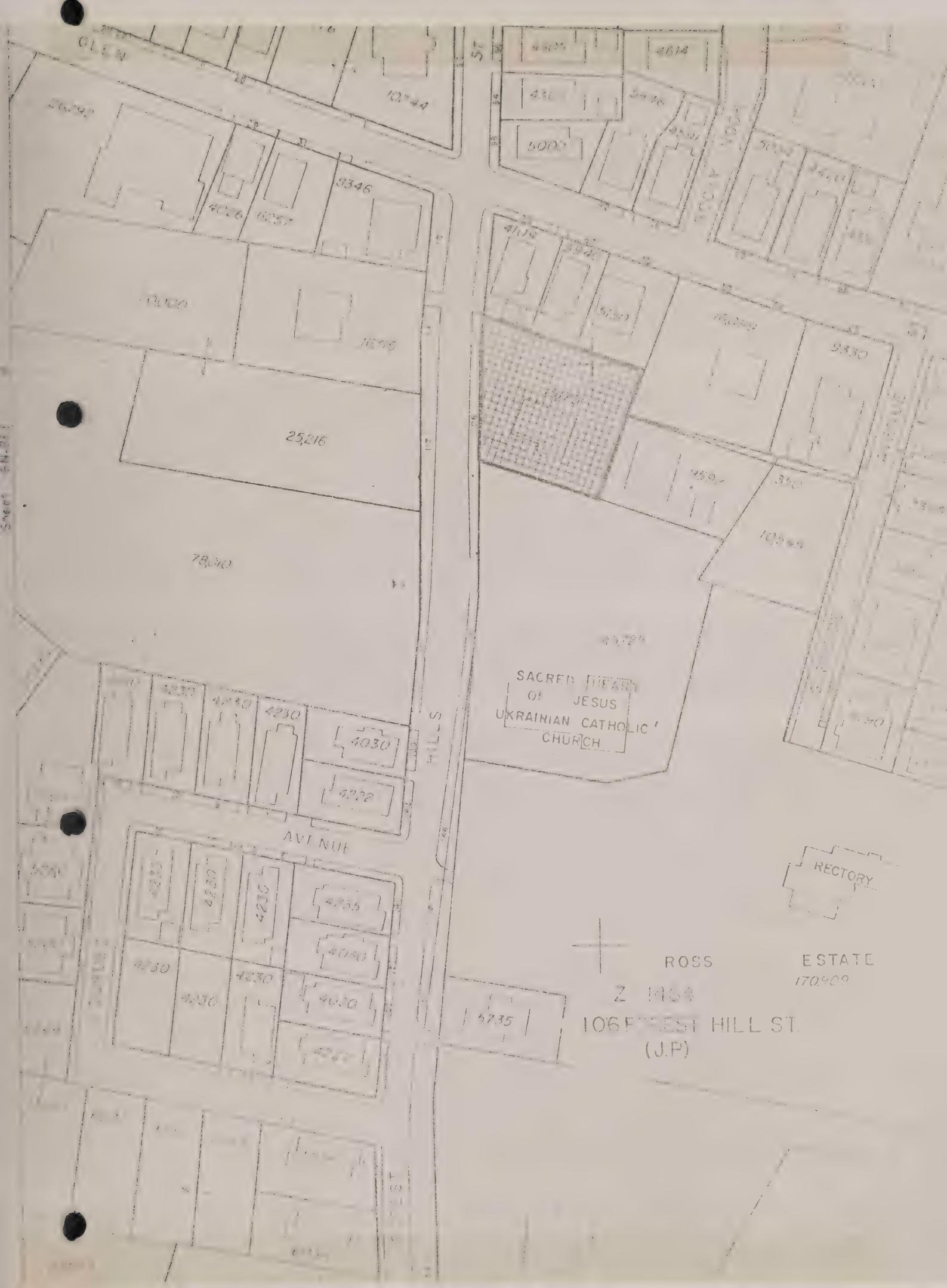
Re: Petition No. Z-1464
Vilis & Herta Gravitis
106 Forest Hills Street, Jamaica Plain

Petitioner seeks a Forbidden Use Permit for a change of occupancy from a single family dwelling to a single family dwelling and photodeveloping and finishing laboratory in a Residential (R-.8) district. The proposal would violate the code as follows:

Sect. 8-7 Photodeveloping and finishing is Forbidden in an R-.8 district.

The property, located on Forest Hills Street near the intersection of Forest Hills Street and Glen Road, contains a $2\frac{1}{2}$ story frame dwelling. The petitioner proposes to utilize the basement for photodevelopment, finishing and enlarging, and three rooms on the second level for finishing and office work. The new facility would result in the employment of 3-4 persons. The proposal, with its attendant activity, would have a detrimental effect on this predominantly residential neighborhood. Recommend denial.

VOTED: That in connection with Petition No. Z-1464, brought by Vilis and Herta Gravitis, 106 Forest Hills Street, Jamaica Plain, for a Forbidden Use Permit for a change of occupancy from a single family dwelling to a single family dwelling and photodeveloping and finishing in a Residential (R-.8) district, the Boston Redevelopment Authority recommends denial. The petitioner proposes to convert the basement into a photo laboratory and 3 rooms on the 2nd floor for finishing and office work. The new facility would require the employment of 3-4 persons. The proposal, with its attendant activity, would have a detrimental effect on this predominantly residential neighborhood.



Re: Petition No. Z-1466
Shawmut Realty Trust
554-556 Dorchester Avenue, South Boston

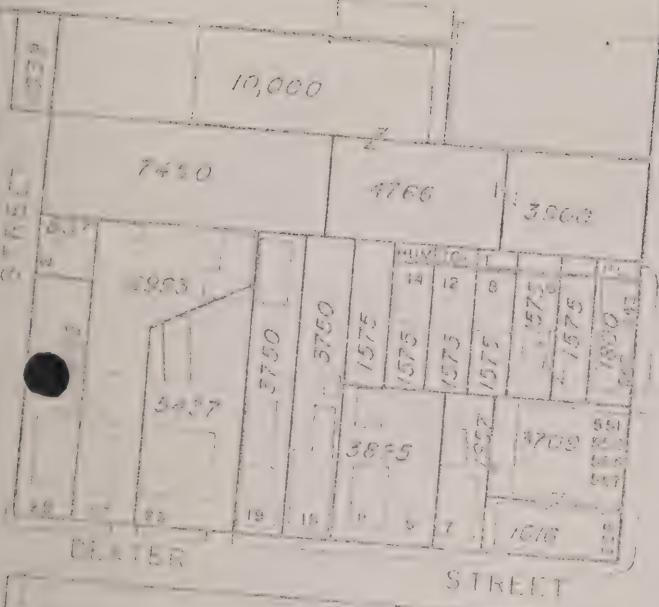
Petitioner seeks a Conditional Use Permit for a change of occupancy from a sign shop, storage, and business garage to a business garage and repair shop garage and to erect a one story addition in a General Business (B-1) district. The proposal would violate the code as follows:

Sect. 8-7 A repair shop garage is a Conditional Use
in a B-1 district.

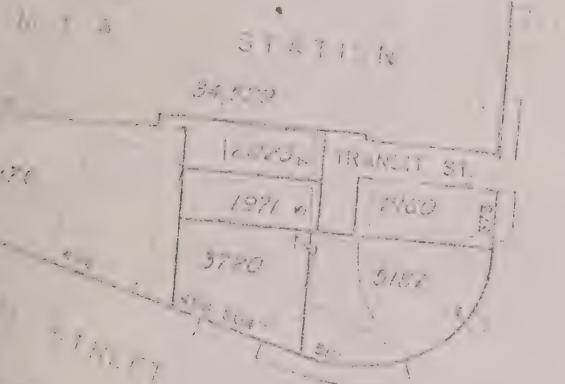
The property, located on Dorchester Avenue at the intersection of Dorchester Avenue and Leeds Street near Andrew Square, contains a one story brick structure. The proposed one story addition would be constructed at the rear of the existing structure. The proposed repair shop garage, with its resultant noise activity, would have a detrimental effect on the abutting residential neighborhood.
Recommend denial.

VOTED: That in connection with Petition No. Z-1466, brought by Shawmut Realty Trust, 554-556 Dorchester Avenue, for a change of occupancy from a sign shop, storage and business garage to a business garage and repair shop garage and erect a one story addition in a General Business (B-1) district, the Boston Redevelopment Authority recommends denial. The proposed repair shop garage, with its resultant noise activity, would have a detrimental effect on the abutting residential neighborhood.

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Re: Petition No. Z-1468
Copley Square Realty Corporation
60 Temple Street, Boston

Petitioner seeks a variance for a change of occupancy from a lodging house to five apartments in an Apartment (H-2-65) district. The proposal would violate the code as follows:

Sect. 17-1 Usable open space is insufficient	<u>Req'd.</u>	<u>Proposed</u>
	150 sf/du	27 sf/du

The property, located on Temple Street near the intersection of Temple and Derne Streets, contains a four story and basement brick structure. The building can presently accommodate 16 lodgers. The proposed conversion to five small apartments would eliminate the transient nature of the existing lodging house use and enhance the residential character of the neighborhood. Recommend approval.

VOTED: That in connection with Petition No. Z-1468, brought by Copley Square Realty Corporation, 60 Temple Street, Boston, for a variance of insufficient open space for a change of occupancy from a lodging house to five apartments in an Apartment (H-2-65) district, the Boston Redevelopment Authority recommends approval. The proposed apartment conversion would eliminate the transient nature of the existing lodging house use and enhance the residential character of the neighborhood.

STREET

Z-146

COMMONWEALTH
OF
MASSACHUSETTS
STATE HOUSE

PARKING

CELESTE

STREET

UNIVERSITY OF TORONTO LIBRARY
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HOLMES ALLEY STREET

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Re: Petition No. Z-1469
Francis P. & Eleanor M. Carpenito
47 Charles Street, Hyde Park

Petitioner seeks a variance to erect a one family dwelling in a Residential (R-.5) district. The proposal would violate the code as follows:

	<u>Req'd.</u>	<u>Proposed</u>
Sect. 18-4 Front yard is insufficient	20 ft.	11 ft.
The property, located on Charles Street at the intersection of Charles and Church Streets, contains 5573 square feet of vacant land. The proposal is consistent with surrounding properties. The yard violation is minimal. Recommend approval.		

VOTED: That in connection with Petition No. Z-1469, brought by Francis P. & Eleanor M. Carpenito, 47 Charles Street, Hyde Park, for a variance of insufficient front yard to erect a one family dwelling in a Residential (R-.5) district, the Boston Redevelopment Authority recommends approval. The yard violation is minimal and would not adversely effect the surrounding properties.

FACTORY HISTORY

SUNNYSIDE

Z-1469
CHARLES ST.
(H.B.)

47 CHARL
S 1941 / (H.P.)

